

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Circuit Courts Act is amended by changing
5 Sections 2f-1, 2f-2, 2f-4, and 2f-5 as follows:

6 (705 ILCS 35/2f-1)

7 Sec. 2f-1. 19th and 22nd judicial circuits.

8 (a) On December 4, 2006, the 19th judicial circuit is
9 divided into the 19th and 22nd judicial circuits as provided in
10 Section 1 of the Circuit Courts Act. This division does not
11 invalidate any action taken by the 19th judicial circuit or any
12 of its judges, officers, employees, or agents before December
13 4, 2006. This division does not affect any person's rights,
14 obligations, or duties, including applicable civil and
15 criminal penalties, arising out of any action taken by the 19th
16 judicial circuit or any of its judges, officers, employees, or
17 agents before December 4, 2006.

18 (b) Of the 7 circuit judgeships elected at large in the
19 19th circuit before the general election in 2006, the Supreme
20 Court shall assign 5 to the 19th circuit and 2 to the 22nd
21 circuit, based on residency of the circuit judges then holding
22 those judgeships. The 5 assigned to the 19th circuit shall
23 continue to be elected at large. The 2 assigned to the 22nd
24 circuit shall continue to be elected at large.

25 (c) The 6 resident judgeships elected from Lake County
26 before the general election in 2006 shall become resident
27 judgeships in the 19th circuit on December 4, 2006, and the 3
28 resident judgeships elected from McHenry County before the
29 general election in 2006 shall become resident judgeships in
30 the 22nd circuit on December 4, 2006.

31 (d) On December 4, 2006, the Supreme Court shall allocate
32 the associate judgeships of the 19th circuit before that date

1 between the 19th and 22nd circuits based on the residency of
2 the associate judges; however, the number of associate judges
3 allocated to the 19th circuit shall be no less than the number
4 of associate judges residing in Lake County on March 22, 2004
5 ~~population of those circuits.~~

6 (e) On December 4, 2006, the Supreme Court shall allocate
7 personnel, books, records, documents, property (real and
8 personal), funds, assets, liabilities, and pending matters
9 concerning the 19th circuit before that date between the 19th
10 and 22nd circuits based on the population and staffing needs of
11 those circuits and the efficient and proper administration of
12 the judicial system. The rights of employees under applicable
13 collective bargaining agreements are not affected by this
14 amendatory Act of the 93rd General Assembly.

15 (f) The judgeships set forth in this Section include the
16 judgeships authorized under Sections 2g, 2h, and 2j. The
17 judgeships authorized in those Sections are not in addition to
18 those set forth in this Section.

19 (Source: P.A. 93-541, eff. 8-18-03.)

20 (705 ILCS 35/2f-2)

21 Sec. 2f-2. 19th judicial circuit; subcircuits.

22 (a) The 19th circuit shall be divided into 6 subcircuits.
23 The subcircuits shall be compact, contiguous, and
24 substantially equal in population. The General Assembly by law
25 shall create the subcircuits ~~on or before February 1, 2004,~~
26 using population data as determined by the 2000 federal census,
27 and shall determine a numerical order for the 6 subcircuits.
28 That numerical order shall be the basis for the order in which
29 resident judgeships are assigned to the subcircuits. Once a
30 resident judgeship is assigned to a subcircuit, it shall
31 continue to be assigned to that subcircuit for all purposes.

32 (b) The 19th circuit shall have a total of 6 resident
33 judgeships.

34 (c) The Supreme Court shall allot (i) all vacancies in
35 resident judgeships of the 19th circuit existing on or

1 occurring on or after the effective date of this amendatory Act
2 of the 93rd General Assembly and not filled at the 2004 general
3 election and (ii) the resident judgeships of the 19th circuit
4 filled at the 2004 general election as those judgeships
5 thereafter become vacant, for election from the various
6 subcircuits until there is one resident judge to be elected
7 from each subcircuit. No resident judge of the 19th circuit
8 serving on the effective date of this amendatory Act of the
9 93rd General Assembly shall be required to change his or her
10 residency in order to continue serving in office or to seek
11 retention in office as resident judgeships are allotted by the
12 Supreme Court in accordance with this Section.

13 (d) A resident judge of a subcircuit must reside in the
14 subcircuit and must continue to reside in that subcircuit as
15 long as he or she holds that office.

16 (e) Vacancies in resident judgeships of the 19th circuit
17 shall be filled in the manner provided in Article VI of the
18 Illinois Constitution.

19 (Source: P.A. 93-541, eff. 8-18-03.)

20 (705 ILCS 35/2f-4)

21 Sec. 2f-4. 12th circuit; subcircuits; additional judges.

22 (a) The 12th circuit shall be divided into 5 subcircuits.
23 The subcircuits shall be compact, contiguous, and
24 substantially equal in population. The General Assembly by law
25 shall create the subcircuits ~~on or before February 1, 2004,~~
26 using population data as determined by the 2000 federal census,
27 and shall determine a numerical order for the 5 subcircuits.
28 That numerical order shall be the basis for the order in which
29 resident judgeships are assigned to the subcircuits. Once a
30 resident judgeship is assigned to a subcircuit, it shall
31 continue to be assigned to that subcircuit for all purposes.

32 ~~(a-5) Two of the 12th circuit's associate judgeships shall~~
33 ~~be allotted as 12th circuit resident judgeships under~~
34 ~~subsection (c) as those associate judgeships are converted to~~
35 ~~resident judgeships in accordance with Section 2 of the~~

1 ~~Associate Judges Act.~~

2 (a-10) Of the 12th circuit's 10 existing circuit judgeships
3 (8 at large and 2 resident), 2 shall be allotted as 12th
4 circuit resident judgeships under subsection (c) as the first 2
5 of any of those at large and resident judgeships become vacant
6 on or after August 18, 2003 ~~the effective date of this~~
7 ~~amendatory Act of the 93rd General Assembly~~. As used in this
8 subsection, a vacancy does not include the expiration of a term
9 of an at large or resident judge who seeks retention in that
10 office at the next term.

11 (b) The 12th circuit shall have 3 ~~one~~ additional resident
12 ~~judgeships~~ ~~judgeship~~, as well as its 2 existing resident
13 judgeships, and 8 at large judgeships, ~~and 2 former associate~~
14 ~~judgeships~~, for a total of 13 judgeships available to be
15 allotted to the 5 subcircuit resident judgeships. The
16 additional resident judgeship created by Public Act 93-541 ~~this~~
17 ~~amendatory Act of the 93rd General Assembly~~ shall be filled by
18 election beginning at the general election in 2006. The 2
19 additional resident judgeships created by this amendatory Act
20 of 2004 shall be filled by election beginning at the general
21 election in 2008. After the subcircuits are created by law, the
22 Supreme Court may ~~shall~~ fill by appointment the additional
23 resident ~~judgeships~~ ~~judgeship~~ created by Public Act 93-541 and
24 this amendatory Act of 2004 ~~the 93rd General Assembly~~ until the
25 2006 or 2008 general election, as the case may be.

26 (c) The Supreme Court shall allot (i) the additional
27 resident ~~judgeships~~ ~~judgeship~~ of the 12th circuit created by
28 Public Act 93-541 and this amendatory Act of 2004 ~~the 93rd~~
29 ~~General Assembly~~, and (ii) the first 2 vacancies in the at
30 large and resident judgeships of the 12th circuit as provided
31 in subsection (a-10), ~~and (iii) 2 associate judgeships of the~~
32 ~~12th circuit as they are converted to resident judgeships as~~
33 ~~provided in subsection (a-5)~~, for election from the various
34 subcircuits until there is one resident judge to be elected
35 from each subcircuit. No at large or resident judge of the 12th
36 circuit serving on August 18, 2003 ~~the effective date of this~~

1 ~~amendatory Act of the 93rd General Assembly~~ shall be required
2 to change his or her residency in order to continue serving in
3 office or to seek retention in office as at large or resident
4 judgeships are allotted by the Supreme Court in accordance with
5 this Section.

6 (d) A resident judge of a subcircuit must reside in the
7 subcircuit and must continue to reside in that subcircuit as
8 long as he or she holds that office.

9 (e) Vacancies in resident judgeships of the 12th circuit
10 shall be filled in the manner provided in Article VI of the
11 Illinois Constitution.

12 (Source: P.A. 93-541, eff. 8-18-03.)

13 (705 ILCS 35/2f-5)

14 Sec. 2f-5. 22nd circuit; subcircuits.

15 (a) The 22nd circuit shall be divided into 3 subcircuits.
16 The subcircuits shall be compact, contiguous, and
17 substantially equal in population. The General Assembly by law
18 shall create the subcircuits ~~on or before February 1, 2004,~~
19 using population data as determined by the 2000 federal census,
20 and shall determine a numerical order for the 3 subcircuits.
21 That numerical order shall be the basis for the order in which
22 resident judgeships are assigned to the subcircuits. Once a
23 resident judgeship is assigned to a subcircuit, it shall
24 continue to be assigned to that subcircuit for all purposes.

25 (b) The 22nd circuit shall have a total of 3 resident
26 judgeships.

27 (c) The Supreme Court shall allot (i) all vacancies in
28 resident judgeships of the 22nd circuit existing on or
29 occurring on or after the effective date of this amendatory Act
30 of the 93rd General Assembly and not filled at the 2004 general
31 election and (ii) the resident judgeships of the 22nd circuit
32 filled at the 2004 general election as those judgeships
33 thereafter become vacant, for election from the various
34 subcircuits until there is one resident judge to be elected
35 from each subcircuit. No resident judge of the 22nd circuit

1 serving on the effective date of this amendatory Act of the
2 93rd General Assembly shall be required to change his or her
3 residency in order to continue serving in office or to seek
4 retention in office as resident judgeships are allotted by the
5 Supreme Court in accordance with this Section.

6 (d) A resident judge of a subcircuit must reside in the
7 subcircuit and must continue to reside in that subcircuit as
8 long as he or she holds that office.

9 (e) Vacancies in resident judgeships of the 22nd circuit
10 shall be filled in the manner provided in Article VI of the
11 Illinois Constitution.

12 (Source: P.A. 93-541, eff. 8-18-03.)

13 Section 10. The Associate Judges Act is amended by changing
14 Section 2 as follows:

15 (705 ILCS 45/2) (from Ch. 37, par. 160.2)

16 Sec. 2. (a) The maximum number of associate judges
17 authorized for each circuit is the greater of the applicable
18 minimum number specified in this Section or one for each 35,000
19 or fraction thereof in population as determined by the last
20 preceding Federal census, except for circuits with a population
21 of more than 3,000,000 where the maximum number of associate
22 judges is one for each 29,000 or fraction thereof in population
23 as determined by the last preceding federal census, reduced in
24 circuits of less than 200,000 inhabitants by the number of
25 resident circuit judges elected in the circuit in excess of one
26 per county. In addition, in circuits of 1,000,000 or more
27 inhabitants, there shall be one additional associate judge
28 authorized for each municipal district of the circuit court.
29 The number of associate judges to be appointed in each circuit,
30 not to exceed the maximum authorized, shall be determined from
31 time to time by the Circuit Court. The minimum number of
32 associate judges authorized for any circuit consisting of a
33 single county shall be 14, except that the minimum in the 22nd
34 circuit shall be 8 and except that the minimum in the 19th

1 circuit on and after December 4, 2006 shall be 20. The minimum
2 number of associate judges authorized for any circuit
3 consisting of 2 counties with a combined population of at least
4 275,000 but less than 300,000 shall be 10. The minimum number
5 of associate judges authorized for any circuit with a
6 population of at least 303,000 but not more than 309,000 shall
7 be 10. The minimum number of associate judges authorized for
8 any circuit with a population of at least 329,000, but not more
9 than 335,000 shall be 11. The minimum number of associate
10 judges authorized for any circuit with a population of at least
11 173,000 shall be 5. As used in this Section, the term "resident
12 circuit judge" has the meaning given it in the Judicial
13 Vacancies Act.

14 (b) The maximum number of associate judges authorized under
15 subsection (a) for a circuit with a population of more than
16 3,000,000 shall be reduced as provided in this subsection (b).
17 For each vacancy that exists on or occurs on or after the
18 effective date of this amendatory Act of 1990, that maximum
19 number shall be reduced by one until the total number of
20 associate judges authorized under subsection (a) is reduced by
21 60. A vacancy exists or occurs when an associate judge dies,
22 resigns, retires, is removed, or is not reappointed upon
23 expiration of his or her term; a vacancy does not exist or
24 occur at the expiration of a term if the associate judge is
25 reappointed.

26 ~~(c) The maximum number of associate judges authorized under~~
27 ~~subsection (a) for the 12th judicial circuit shall be reduced~~
28 ~~as provided in this subsection (c). For each vacancy that~~
29 ~~exists on or occurs after the effective date of this amendatory~~
30 ~~Act of the 93rd General Assembly, that maximum number shall be~~
31 ~~reduced by one until the total number of associate judges~~
32 ~~authorized under subsection (a) is reduced by 2. A vacancy~~
33 ~~exists or occurs when (i) a new associate judgeship has been~~
34 ~~authorized under subsection (a) for the 12th judicial circuit,~~
35 ~~but has not been filled by appointment or (ii) an associate~~
36 ~~judge dies, resigns, retires, is removed, or is not reappointed~~

1 ~~upon expiration of his or her term. A vacancy does not exist or~~
2 ~~occur at the expiration of a term if the associate judge is~~
3 ~~reappointed.~~

4 (Source: P.A. 92-17, eff. 6-28-01; 93-541, eff. 8-18-03.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.